

**Chapter 1.04****GENERAL PROVISIONS**

(588-7/52, 1540-12/69, 1902-3/74, 1935-11/74)

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**1.04.010 Definitions.** As used in this code, unless a different meaning is apparent from the context or is specified elsewhere in this code:

- (a) "Board" -- a body of members appointed pursuant to Huntington Beach Charter section 405 to serve in a continuing advisory capacity to the City Council.
- (b) "Commission" -- a body of members appointed pursuant to Huntington Beach Charter section 405 which may have decision making authority in those activities delegated to them by the City Council.
- (c) "Committee" -- a body of members appointed pursuant to Huntington Beach Charter section 405 on an ad hoc basis to advise the City Council on particular matters.
- (d) "City" means the city of Huntington Beach.
- (e) "Council" means the City Council of this city.
- (f) "Oath" includes affirmation.
- (g) "Person" means and includes a natural person, corporation, company, firm, association, organization, partnership, joint venture, trust, syndicate, estate, receiver, social club, fraternal organization, any group or combination acting as a unit, trustee in bankruptcy, receiver, executor, administrator, assignee, fiduciary, and officer, agent, employee and servant of any of the foregoing.
- (h) "Public nuisance," for the purposes of this code, means anything which is injurious to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property by an entire neighborhood, or by any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal or basin, or any public park, square, street or highway.
- (i) "Section," "chapter" and "title" mean, respectively, section, chapter and title of this code.
- (j) "Shall" and "must" are mandatory and "may" is permissive.
- (k) "Written" includes every form of legible recording.
- (l) Undefined words. Words and phrases not defined in this code are construed according to the approved usage of the language.
- (m) Number. The singular number includes the plural, and the plural the singular.

(n) Gender. Words used in the masculine gender include the feminine and the neuter.

(o) Tense. Words used in the present tense include the future. (588-8/52, 1825-4/73, 1935-11/74, 2352-3/79)

**1.04.020 Severability.** If any section, subsection, sentence, clause, phrase or portion of this code, or any future amendments or additions hereto, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this code, or any future amendments or additions hereto. The City Council declares that it would have adopted this code and each section, subsection, sentence, clause, phrase or portion of any future amendments or additions thereto, irrespective of the fact that any one or more sections, subsections, clauses, phrases, portions or any future amendments or additions thereto be declared invalid or unconstitutional. (588-8/52, 1540-12/69, 1935-11/74)

**1.04.030 Construction--Generally.** The provisions of this code and all proceedings under it are to be construed to effect its object and to promote justice. (588-8/52)

**1.04.040 Territorial limitation.** This code shall refer only to the omission or commission of acts within the territorial limits of the city and that territory outside of this city over which the city has jurisdiction or control by virtue of the Constitution, or any law, or by reason of ownership or control of property. (588-8/52)

**1.04.050 Local signification.** All references in this code to places, acts, persons or things and all else in relation to this code shall be construed to mean that the same are applicable to this city, whether the city is mentioned in each particular section or not. (588-8/52)

**1.04.060 Construction--Titles of officers, boards and commissions.** The use of the title of any officer, employee, office, department, board, commission or ordinance shall mean such officer, employee, office, department, board, commission or ordinance of the city unless otherwise designated. (588-8/52)